

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

SHIRLEY RIVERS,

Plaintiff

vs.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant

NO. 5:05-CV-212 (CWH)

SOCIAL SECURITY APPEAL

Before the U. S. Magistrate Judge

<p style="text-align: center;">O R D E R</p>
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Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. Sec. 405(g), and in light of the Agency's request, and noting no objection from plaintiff, to remand this action, this case is hereby remanded.

On remand, an Administrative Law Judge (ALJ) will request further development including a current examination of claimant's condition with either a consultative evaluation or a current medical opinion from claimant's treating doctors at Medical College of Georgia (MCG). The examination will include a current MRI of the L5-S1 region. The ALJ will further evaluate and discuss plaintiff's allegations of pain and limitations associated with back pain, neck pain, carpal tunnel syndrome and medicine side effects. After the evidence from the current examination is considered, the ALJ will obtain vocational expert testimony on these issues if necessary and will provide the claimant with an opportunity for a supplemental hearing, further develop the record and issue a new decision.

Accordingly, IT IS ORDERED AND DIRECTED that the Commissioner's decision be, and it is, REVERSED under sentence four of 42 U.S.C. Sec. 405(g) with a REMAND of the cause to the Commissioner for further proceedings. See *Shalala v. Schaefer*, 509 U.S. 292 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89 (1991). The clerk of the court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED AND DIRECTED, this 18th day of JANUARY, 2006.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr." The signature is stylized with large, flowing letters.

CLAUDE W. HICKS, JR.
CHIEF UNITED STATES MAGISTRATE JUDGE